

**KAPLAN & GILMAN, L.L.P. COUNSELORS AT LAW**

900 ROUTE 9 NORTH  
WOODBIDGE, NEW JERSEY 07095  
TELEPHONE (732) 634-7634  
FACSIMILE (732) 634-6887  
WWW.KAPLANGILMAN.COM

MICHAEL R. GILMAN\*

JEFFREY I. KAPLAN

TIMOTHY X. GIBSON

MATTHEW B. DERNIER

PATENT AGENT  
LI ZHENG\*\*

\*ADMITTED NY &amp; CT ONLY

\*\*ADMITTED CHINA ONLY

**FACSIMILE COVER SHEET**

**CONFIDENTIALITY NOTICE:** The information contained in this facsimile message, along with any attachments hereto, is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy, including its attachments, is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message and attachments to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

<b>TO:</b>	Office of Initial Patent Examination's Filing Receipt Corrections
<b>COMPANY:</b>	United States Patent and Trademark Office
<b>FAX NO.:</b>	703 746-9195
<b>FROM:</b>	Matthew B. Dernier, Esq.
We are sending a communication of 3 page(s) (including this cover sheet). Please call (732) 734-7634 immediately if transmission is interrupted or of poor quality.	
<b>OUR REF:</b> 532/3X5	<b>DATE:</b> June 7, 2004

**MESSAGE:**

Please see attached Request for Corrected Filing Receipt.

Attorney Docket No.: 532/3X5

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Rafail Zubok et al.

Group Art Unit: 3738

Application No.: 10/781,506

Examiner: Not Yet Assigned

Filing Date: February 18, 2004

For: Instrumentation And Methods For Use In  
Implanting A Cervical Disc Replacement  
Device

---

Office of Initial Patent Examination's  
Filing Receipt Corrections  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

Kindly issue a new Filing Receipt regarding the above-identified patent application making the following corrections:

The filing date should be February 18, 2004.

A copy of the Filing Receipt with the changes noted is attached hereto. Thank you for your attention to this matter.

Dated: June 7, 2004

Respectfully submitted,

By 

Matthew B. Dernier  
Registration No.: 40,989  
KAPLAN & GILMAN, L.L.P.  
900 Route 9 North, Suite 104  
Woodbridge, New Jersey 07095  
(732) 634-7634  
Attorneys for Applicant

I hereby certify that this correspondence is being faxed to 703 746-9195, addressed to the Office of Initial Patent Examination's Filing Receipt Corrections, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 7, 2004Signature: Print Name: Matthew B. Dernier



## UNITED STATES PATENT AND TRADEMARK OFFICE

**UNITED STATES DEPARTMENT OF COMMERCE**  
**United States Patent and Trademark Office**  
**Address: COMMISSIONER FOR PATENTS**  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10781 506	05/06/2004	3738	385	532-3X5	17	19	3

27538  
KAPLAN & GILMAN, L.L.P.  
900 ROUTE 9 NORTH  
WOODBIDGE, NJ 07095

CONFIRMATION NO. 2911

**UPDATED FILING RECEIPT**

\*OC00000012735581\*

Date Mailed: 05/21/2004

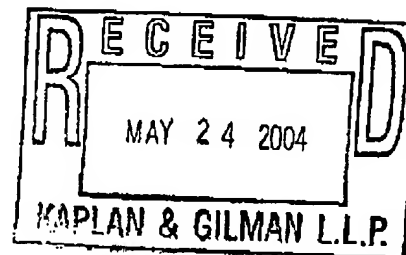
Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Rafail Zubok, Midland Park, NJ;  
Michael W. Dudasik, Nutley, NJ;  
Joseph P. Errico, Green Brook, NJ;

**Domestic Priority data as claimed by applicant**

**This application is a CON of 10/688,632 10/17/2003  
which is a CIP of 10/382,702 03/06/2003**



## Foreign Applications

**If Required, Foreign Filing License Granted: 05/12/2004**

**Projected Publication Date: 09/09/2004**

**Non-Publication Request: No**

**Early Publication Request: No**

**\*\* SMALL ENTITY \*\***

**Title**

## Instrumentation and methods for use in implanting a cervical disc replacement device